

**IN THE DRAWINGS:**

Please replace Figures 1a and 1b as filed in the previous Response with replacement Figures 1a and 1b attached hereto.

Attachment: Replacement Drawings (2 sheets)

## **REMARKS**

The Office Action dated June 2, 2005, has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Replacement Figures 1a and 1b are submitted. Claims 7 and 9 are amended to more particularly point out and distinctly claim the subject matter of the invention. Support for the amendments may be found throughout the specification, for example, on page 6, paragraphs [00025] and [00026] and on page 9, paragraph [0034]. No new matter is added and no further consideration and/or search is needed. Claims 1-13 are presently pending in the application, with claims 1-6 being withdrawn from consideration. Thus, claims 7-13 are respectfully submitted for consideration.

The drawings were objected to for allegedly not complying with 37 C.F.R. §1.121(d). Specifically, the Office Action alleged that element 105 in Figure 1a and element 155 in Figure 1b were not labeled. Applicants submit replacement Figures 1a and 1b labeling elements 105 and 155. Applicants submit that the drawings are now in compliance with 37 C.F.R. §1.121(d). Thus, the objection is rendered moot.

Claims 7-8 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,400,803 (Tate et al.). The Office Action took the position that Tate taught all the elements of claims 7 and 8. Applicants respectfully submit that Tate fails to disclose or suggest all the features of any of the presently pending claims.

Claim 7, upon which claim 8 is dependent, recites a DSL suppression circuit for suppressing DSL modem operation on a local loop. The DSL suppression circuit includes a loop current detector for sensing current drain on the local loop. The DSL suppression circuit also includes a means for providing a suppression signal controllable by the loop current detector. The DSL suppression circuit also includes a master DSL operative coupled to a subscriber line interference circuit. The master DSL modem operates in a quiescent state upon receiving the suppression signal. The SLIC provides power to a subscriber line during the quiescent state.

As discussed in the specification, examples of the present invention enable a master DSL modem to be placed in a quiescent mode. Thus, voice traffic may operate on a subscriber line without any modulation by a master DSL modem interfering the operations. Examples of the present invention describe continued telephone service that is maintained to a customer premises even though an integrated access device has a power failure. Thus, continued service may occur without the need for a dedicated backup analog subscriber line in addition to the subscriber line that carries digital packets. Applicants respectfully submit that Tate fails to disclose or suggest all the elements of any of the presently pending claims. Therefore, Tate fails to provide the critical and unobvious advantages discussed above.

Tate relates to a voiceover digital subscriber line call redirection for lifeline service. Tate describes, under a fault condition, a router that directs an incoming call to a selected port to provide a lifeline service. The router is arranged to monitor signals

received at a subscriber loop port and selectively to disconnect at least one of the local subscriber ports responsive to signals. Referring to Figure 3 of Tate, a lifeline router 320 is arranged to receive signals passing between switch 301 and switches 331-334 and to provide output signals on outputs 321-324 that provide control signals to switches 331-334, respectively. Upon a loss of local power, switches 301 and 331-334 are arranged to default to provide a direct connection from subscriber loop port 340 via the direct link to switches 331-334 and to local subscriber ports 351-354. In lifeline mode, only one channel can be supported between the subscriber loop port and one of the local subscriber ports. Further, Tate describes that lifeline router 320 is used to receive redirection signals from a local exchange via subscriber loop port 340, whereby the control switches 331-334 provide local routing within customer premises equipment.

Applicants submit that Tate fails to disclose or suggest all the features of claims 7 and 8. For example, Tate fails to disclose or suggest the SLIC providing power to a subscriber line during the quiescent state. Tate describes switches 301 and 331-4 being arranged to direct connect from port to port(s) during power loss. Switches 301 and 331-4 do not provide any power to the subscriber loop. Thus, Tate fails to provide power to the subscriber during any state of DSL modem 310.

In contrast, claim 7 recites “a master DSL modem . . . wherein the SLIC provides power to a subscriber line during the quiescent state.” Applicants submit, for at least these reasons, that Tate does not disclose or suggest all the features of claim 7. Further, claim 8 is also not disclosed or suggested at least for the reasons given above and because

claim 8 recites additional patentable subject matter. Thus, applicants maintain that Tate fails to disclose or suggest all the features of claims 7 and 8. Applicants respectfully request that the anticipation rejection of claims 7-8 be withdrawn.

Claims 9-13 were rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,520,744 (Verbin et al.). The Office Action took the position that Verbin taught all the features of claims 9-13. Applicants respectfully submit that Verbin fails to disclose or suggest all the features of any of the presently pending claims.

Claim 9, upon which claims 10-13 are dependent, recites a method for providing a customer premise line connection to a DSL modem. The method includes detecting whether a line has an off-hook condition or an on-hook condition. The method also includes energizing a relay to couple the line to a DSL modem. The line has the on-hook condition. The method also includes activating switching means for bypassing the DSL modem during a quiescent state.

As discussed in the specification, examples of the present invention enable identification of the presence of analog signals on the subscriber line connecting an integrated access device. Thus, examples of the present invention describe disabling a DSL modem and coupling an analog-to-digital converter to prepare signals arriving on the subscriber line for transmission on a data network. Applicants respectfully submit that Verbin fails to disclose or suggest all the elements of any of the presently pending claims. Therefore, Verbin fails to provide the critical and unobvious advantages discussed above.

Verbin relates to a method and apparatus for improving performance of a splitterless asymmetric digital subscriber line (ADSL). Verbin describes a uniform technique for adapting an ADSL system to various situations. The uniform technique provides a graduated approach to handling anomalies that are caused by incompatible telephone equipment. Customer premises equipment 101 is coupled to central office 102 via digital subscriber line 103. Central office 102 includes off hook detector 117, telephone service splitter 111, ADSL modem 112, and data switch 113. Off hook detector 117 monitors the electrical characteristics of DSL 103 to determine the status of hook switches of telephone instruments 109 and 110. Vermin describes procedures for accommodating the off hook conditions that are initiated at central office 102. If off hook detector 117 detects a change of hook switch status, it passes a signal to ADSL modem 112. ADSL modem 112 initiates testing to determine if a modem retraining routine is indicated. If so, ADSL modem 112 communicates this information to ADSL modem 107 at customer premises equipment 101 via DSL 103.

Applicants submit that Verbin fails to disclose or suggest all the features of claims 9-13. For example, Verbin fails to disclose or suggest activating switching means for bypassing the DSL modem during a quiescent state. Verbin describes off hook detector 117 monitoring electrical characteristics of a DSL, and passing a signal to ADSL modem 112 to initiate testing. ADSL modem 112 of Verbin is not placed in a quiescent state and is not bypassed. Thus, Verbin fails to disclose or suggest bypassing a DSL modem during a quiescent state.

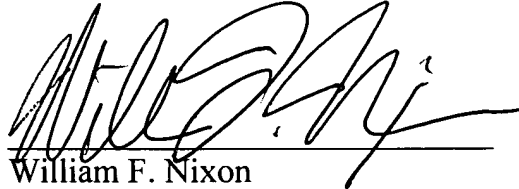
In contrast, claim 9 recites “activating switching means for bypassing the DSL modem during a quiescent state.” Applicants assert, for the reasons given above, that Verbin fails to disclose or suggest at least these features of the presently pending claims. Claims 10-12 depend from claim 9 and are not disclosed or suggested for at least the reasons given above, and because claims 10-12 recite additional patentable subject matter. Thus, applicants maintain that Verbins fails to disclose or suggest all the features of claims 9-13. Applicants respectfully request that the anticipation rejection of claims 9-13 be withdrawn.

Applicants submit that each of claims 7-13 recites subject matter that is neither disclosed nor suggested by the cited references. It is therefore respectfully requested that all of claims 7-13 be allowed, and this application passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William F. Nixon', written over a horizontal line.

William F. Nixon  
Registration No. 44,262

**Customer No. 32294**  
SQUIRE, SANDERS & DEMPSEY LLP  
14<sup>TH</sup> Floor  
8000 Towers Crescent Drive  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802

WFN:cct

Enclosures: Replacement Drawings (2 sheets)